



IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

FREDDIE LEON MALDONADO et al.,

Plaintiffs,

v.

MUNICIPALITY OF YAUCO et al.,

Defendants.

CIVIL NO. 98-2381 (RLA)

**ORDER APPOINTING JOINT EXPERT, SETTING DEADLINES  
FOR REPORT AND BRIEFS AND SANCTIONING COUNSEL**

In accordance with the undersigned's Order at the Scheduling Conference held on August 11, 1999 (docket No. 24),<sup>1</sup> plaintiffs submitted the names of five engineering experts.<sup>2</sup> On the other hand, defendants failed to submit any names despite a request for additional time to do so.<sup>3</sup>

Accordingly, IT IS HEREBY ORDERED that Engineer EMILIANO H. RUIZ, M.S.C.E., is hereby APPOINTED by the Court<sup>4</sup> to carry out an inspection of the site(s) which plaintiffs allege are in noncompliance with ADA requirements.

<sup>1</sup> See also Order to Show Cause (docket No. 31, filed on September 20, 1999), granting the parties until September 30, 1999, to submit the names of proposed expert engineers.

<sup>2</sup> See Motion Submitting the Names of Experts (docket No. 33, filed on September 30, 1999).

<sup>3</sup> See Motion in Compliance [sic] with Order (docket No. 32, filed on September 30, 1999) requesting an additional period of seven days.

<sup>4</sup> As agreed to at the ISC, both parties shall pay for ENG. RUIZ' fees.

34 no

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1 IT IS FURTHER ORDERED that ENG. RUIZ shall issue a report of his  
2 findings no later than October 29, 1999, which report plaintiffs  
3 shall file with the Court no later than November 1, 1999.

4 IT IS FURTHER ORDERED that the parties' briefs regarding the  
5 applicability of the ADA regulations to the alleged violations shall  
6 be filed no later than November 12, 1999.

7  
8 Counsel for defendants having failed to comply with the Orders  
9 of this Court, IT IS FURTHER ORDERED that attorney LUIS E. PABON ROCA  
10 is hereby SANCTIONED in the amount of \$100.00, which monies shall be  
11 paid to the Clerk of the Court on or before October 25, 1999. A  
12 motion certifying payment thereof shall be filed by counsel on ever  
13 date.

14 Counsel are once again admonished that failure to comply with  
15 any of the terms of this Order may result in the imposition of  
16 sanctions upon them personally and/or dismissal of claims, defenses  
17 and striking of witnesses.

18 This Order shall be FAXED to counsel of record and notified to  
19 EMILIANO H. RUIZ, M.S.C.E., at P.O. Box 192304, San Juan, P.R. 00919-  
20 2304 (Tel. No. 774-8956).

21 IT IS SO ORDERED.

22 San Juan, Puerto Rico, this 8<sup>th</sup> day of October, 1999.

23  
24 

25 RAYMOND L. ACOSTA

26 United States District Judge

*S/c: E. Ruiz  
10/14/99 no  
Parties notified by fax*